



**THE ATTORNEY GENERAL
OF TEXAS**

AUSTIN, TEXAS 78711

**CRAWFORD C. MARTIN
ATTORNEY GENERAL**

July 9, 1970

Hon. W. C. Lindsey
Criminal District Attorney
Jefferson County Courthouse
Beaumont, Texas

Opinion No. M-657

Re: Proper official to make
delivery of county warrants
and jury checks to the
payee.

Dear Mr. Lindsey:

Your request for our opinion asks the following question:

"Which county official or officials are
authorized to deliver/mail county warrants and
county jury checks to the payee?"

Article 2122, Vernon's Civil Statutes, states that jurors' pay is to be made by a check drawn by the clerk of the district court of the county on the jury fund.

Article 2554, Vernon's Civil Statutes, provides in part as follows:

"It shall be the duty of the county treasurer upon the presentation to him of any warrant, check, voucher, or order drawn by the proper authority, if there be funds sufficient for the payment thereof on deposit in the account against which such warrant is drawn, to endorse upon the face of such instrument his order to pay the same to the payee named therein and to charge the same on his books to the fund upon which it is drawn. ..."

Article 1632, Vernon's Civil Statutes, declares that,

"The county treasurer or any other officer disbursing money for the county, or receiving county claims in payment of dues of any kind, shall require the party receiving payment of, or credit for the same, his agent or attorney, to receipt in writing upon the face of such claim for the amount so paid or received thereon." (Emphasis added.)

Article 1709, Vernon's Civil Statutes, provides as follows:

"The county treasurer shall receive all moneys belonging to the county from whatever source they may be derived, and pay and apply the same as required by law, in such manner as the commissioners court of his county may require and direct." (Emphasis added.)

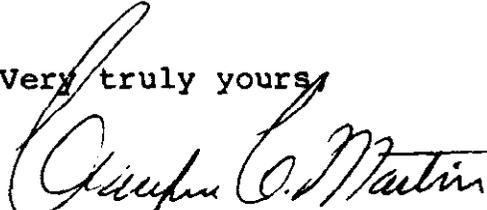
The above statutes, by necessary implication, authorize the county treasurer to make delivery of such warrants.

In view of the foregoing, we agree with you that the county treasurer is the proper official to make delivery of county warrants to the payee.

S U M M A R Y

The county treasurer is the proper official authorized to make delivery of county warrants to the payee.

Very truly yours,


CRAWFORD C. MARTIN
Attorney General of Texas

Prepared by John Reeves
Assistant Attorney General

APPROVED:
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